

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

DYDD IAU, 30AIN TACHWEDD, 2017

AT: HOLL AELODAU'R PWYLLGOR TRWYDDEDU

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R **PWYLLGOR TRWYDDEDU** A GYNHELIR YN Y **SIAMBR, NEUADD Y SIR, CAERFYRDDIN AM 10.00 A.M. AR DDYDD IAU, 7FED RHAGFYR, 2017** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA ATODEDIG.

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democrataidd:	Michelle EvansThomas
Ffôn (Llinell Uniongyrchol):	(01267) 224470
E-bost:	MEEvansThomas@sirgar.gov.uk
Cyf:	AD016-001

PWYLLGOR TRWYDDEDU

14 AELOD

Y GRŴP PLAID CYMRU – 7 AELOD

1. Y Cynghorydd Mansel Charles
2. Y Cynghorydd Alun Davies
3. Y Cynghorydd Ann Davies
4. Y Cynghorydd Tyssul Evans
5. Y Cynghorydd Ken Howell
6. Y Cynghorydd Eirwyn Williams
7. Y Cynghorydd D.E. Williams [Is-Gadeirydd]

Y GRŴP LLAFUR – 4 AELOD

1. Y Cynghorydd Fozia Akhtar
2. Y Cynghorydd Penny Edwards
3. Y Cynghorydd Amanda Fox
4. Y Cynghorydd John Prosser

Y GRŴP ANNIBYNNOL – 3 AELOD

1. Y Cynghorydd Rob Evans
2. Y Cynghorydd Irfon Jones
3. Y Cynghorydd Edward Thomas [Cadeirydd]

DYLAI AELODAU FOD YN YMWYBODOL NA CHANIATEIR IDDYNT OFYN I AELODAU O FEWN EU GRWPIAU EU HUNAIN I'W CYNRYCHIOLI MEWN CYFARFODYDD O'R PWYLLGOR YMA

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGANIADAU O FUDDIANNAU PERSONOL.
3. TRWYDDED CERBYD HURIO PREIFAT. 5 - 8
4. CAIS I ADNEWYDDU TRWYDDED YRRU DDEUOL CERBYD HACNAI/HURIO PREIFAT - MISS CLAIRE LOUISE WHITEHEAD. 9 - 12
5. TRWYDDED YRRU DDEUOL CERBYD HACNAI/HURIO PREIFAT - MR WILLIAM HUGH RUDLAND. 13 - 16
6. CAIS AM DRWYDDED YRRU DDEUOL CERBYD HACNAI/HURIO PREIFAT - MISS TRACY LOUISE DAVIES. 17 - 20
7. CAIS AM DRWYDDED YRRU DDEUOL CERBYD HACNAI/HURIO PREIFAT - MR JAMES NEIL HAUGHEY. 21 - 24
8. LLOFNODI YN GOFNOD CYWIR COFNODION CYFARFOD YR IS-BWYLLGOR TRWYDDEDU "A" A GYNHALIWDYD AR 17EG HYDREF, 2017. 25 - 30
9. LLOFNODI YN GOFNOD CYWIR COFNODION CYFARFOD Y PWYLLGOR TRWYDDEDU A GYNHALIWDYD AR 25AIN HYDREF, 2017. 31 - 36

Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR TRWYDDEDU 07/12/17

PWNC A PHWRPAS TRWYDDED CERBYD HURIO PREIFAT

ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

Bod y cais yn cael ei ganiatáu.

RHESYMAU:

Canllawiau'r Cyngor yn ymwneud â'r broses gwneud cais.

Ymgynghorwyd â'r Pwyllgor Craffu perthnasol	Amherthnasol
Angen i'r Bwrdd Gweithredol wneud penderfyniad	Amherthnasol
Angen i'r Cyngor wneud penderfyniad	Amherthnasol

Aelod y Bwrdd Gweithredol sy'n Deiliad y Portfolio: Cyngorydd P.M. Hughes

Y Gyfarwyddiaeth:
Cymunedau

Enw Pennaeth y Gwasanaeth
Mr Robin Staines

Awdur yr Adroddiad
Justin Power

Swydd:

Pennaeth Tai a Diogelu'r Cyhoedd

Uwch-swyddog Trwyddedu

Rhifau Ffôn:
Cyfeiriadau E-bost:

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rstaines@sirgar.gov.uk

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JHPower@sirgar.gov.uk

EXECUTIVE SUMMARY
Licensing Committee
07/12/17

SUBJECT
PRIVATE HIRE VEHICLE LICENCE

To consider an application from Mrs Jacqueline Elizabeth Clarke of 4 Clos Parc Bigyn, Llanelli to be granted an exemption from Condition 5a and 5b of the Council's Licence Conditions for Private Hire Vehicles for her Private Hire Vehicle PH 580 a Renault Traffic registration number YK61 DDZ.

Mrs Clarke has requested that as she intends to operate this vehicle for Air & Sea Port travel and Executive Hire only, that she be granted an exemption from Condition 5a and 5b of the Council's Licence Conditions, namely that she be not required to display door stickers and a licence plate on the rear bumper of her Vehicle.

Should the Licensing Committee agree to grant Mrs Clarke an exemption from condition 5a and 5b of the Council's Licence Conditions for Private Hire vehicles, then the following Licence Conditions be attached to the Licence:-

That the licensed Renault Traffic PH 580 registration number YK61 DDZ be exempt from licence conditions 5a and 5b, whilst being used for Air & Sea Port travel and Executive Hire purposes as outlined in the application by Mrs Clarke.

That should the vehicle be used for Private Hire other than Air & Sea Port travel and Executive Hire, then the applicant shall immediately notify the Licensing Authority and the exemption shall cease in relation to such hiring.

That the vehicle displays an identification disc on the front and rear windscreens, as specified by the Licensing Authority.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	PH 580	Licensing Section, 3 Spilman Street, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR TRWYDDEDU
07/12/17

PWNC A PHWRPAS
Miss Claire Louise Whitehead
Cais i adnewyddu trwydded Yrru Ddeuol Cerbyd Hacnai/Hurio Preifat

ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

Caniatáu cais Miss Whitehead gyda rhybudd terfynol ynghylch ei ymddygiad yn y dyfodol.

RHESYMAU:

Canllawiau'r Cyngor.

Ymgynghorwyd â'r Pwyllgor Craffu perthnasol	Amherthnasol
Angen i'r Bwrdd Gweithredol wneud penderfyniad	Amherthnasol
Angen i'r Cyngor wneud penderfyniad	Amherthnasol

Aelod y Bwrdd Gweithredol sy'n Deiliad y Portfolio: Cyngorydd P.M. Hughes

Y Gyfarwyddiaeth:
Cymunedau

Enw Pennaeth y Gwasanaeth
Mr Robin Staines

Awdur yr Adroddiad
Justin Power

Swydd:

Pennaeth Tai a Diogelu'r Cyhoedd

Uwch-swyddog Trwyddedu

Rhifau Ffôn:

Cyfeiriadau E-bost:

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rstaines@sirgar.gov.uk

01267 228932
JHPower@sirgar.gov.uk

EXECUTIVE SUMMARY
Licensing Committee
07/12/17

SUBJECT

Miss Claire Louise Whitehead
Application to renew a Hackney Carriage/Private Hire Dual Drivers
Licence

To consider an application from Miss Claire Louise Whitehead of 37 Caeglas, Llanelli to renew her hackney carriage/private hire dual drivers licence.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD30463	Licensing Section, 3 Spilman Street, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR TRWYDDEDU
07/12/17

PWNC A PHWRPAS
Mr William Hugh Rudland
Trwydded Yrru Ddeuol Cerbyd Hacnai/Hurio Preifat

ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

Bod Mr Rudland yn cael rhybudd ynghylch ei ymddygiad yn y dyfodol.

RHESYMAU:

Canllawiau'r Cyngor.

Ymgynghorwyd â'r Pwyllgor Craffu perthnasol	Amherthnasol
Angen i'r Bwrdd Gweithredol wneud penderfyniad	Amherthnasol
Angen i'r Cyngor wneud penderfyniad	Amherthnasol

Aelod y Bwrdd Gweithredol sy'n Deiliad y Portfolio: Cyngorydd P.M. Hughes

Y Gyfarwyddiaeth: Cymunedau Enw Pennaeth y Gwasanaeth Mr Robin Staines Awdur yr Adroddiad Justin Power	Swydd: Pennaeth Tai a Diogelu'r Cyhoedd Uwch-swyddog Trwyddedu	Rhifau Ffôn: Cyfeiriadau E-bost: 01267 228706 rstaines@sirgar.gov.uk 01267 228932 JHPower@sirgar.gov.uk
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EXECUTIVE SUMMARY
Licensing Committee
07/12/17

SUBJECT

Mr William Hugh Rudland
Hackney Carriage/Private Hire Dual Drivers Licence

Mr William Hugh Rudland of 90 Heol Bryngwili, Cross Hands, Llanelli is a licensed hackney carriage/private hire dual driver with this authority.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD30720	Licensing Section, 3 Spilman Street, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR TRWYDDEDU
07/12/17

PWNC A PHWRPAS
Miss Tracy Louise Davies
Cais am Drwydded Yrru Ddeuol Cerbyd Hacnai/Hurio Preifat

ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

Caniatáu cais Miss Davies gyda rhybudd ynghylch ei ymddygiad yn y dyfodol.

RHESYMAU:

Canllawiau'r Cyngor.

Ymgynghorwyd â'r Pwyllgor Craffu perthnasol	Amherthnasol
Angen i'r Bwrdd Gweithredol wneud penderfyniad	Amherthnasol
Angen i'r Cyngor wneud penderfyniad	Amherthnasol

Aelod y Bwrdd Gweithredol sy'n Deiliad y Portfolio: Cyngorydd P.M. Hughes

Y Gyfarwyddiaeth:
Cymunedau

Enw Pennaeth y Gwasanaeth
Mr Robin Staines

Awdur yr Adroddiad
Justin Power

Swydd:

Pennaeth Tai a Diogelu'r Cyhoedd

Uwch-swyddog Trwyddedu

Rhifau Ffôn:

Cyfeiriadau E-bost:

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rstaines@sirgar.gov.uk

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JHPower@sirgar.gov.uk

EXECUTIVE SUMMARY
Licensing Committee
07/12/17

SUBJECT

Miss Tracy Louise Davies
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

To consider an application from Miss Tracy Louise Davies of 1 North Bank, Llandeilo for the grant of a hackney carriage/private hire dual drivers licence.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD20483	Licensing Section, 3 Spilman Street, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR TRWYDDEDU

07/12/17

PWNC A PHWRPAS
Mr James Neil Haughey
Cais am Drwydded Yrru Ddeuol Cerbyd Hacnai/Hurio Preifat

ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:

Caniatáu cais Mr Haughey gyda rhybudd ynghylch ei ymddygiad yn y dyfodol.

RHESYMAU:

Canllawiau'r Cyngor.

Ymgynghorwyd â'r Pwyllgor Craffu perthnasol	Amherthnasol
Angen i'r Bwrdd Gweithredol wneud penderfyniad	Amherthnasol
Angen i'r Cyngor wneud penderfyniad	Amherthnasol

Aelod y Bwrdd Gweithredol sy'n Deiliad y Portfolio: Cyngorydd P.M. Hughes

Y Gyfarwyddiaeth:
Cymunedau

Enw Pennaeth y Gwasanaeth
Mr Robin Staines

Awdur yr Adroddiad
Justin Power

Swydd:

Pennaeth Tai a Diogelu'r Cyhoedd

Uwch-swyddog Trwyddedu

Rhifau Ffôn:

Cyfeiriadau E-bost:

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JHPower@sirgar.gov.uk

EXECUTIVE SUMMARY
Licensing Committee
07/12/17

SUBJECT

Mr James Neil Haughey
Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence

To consider an application from Mr James Neil Haughey of Rhodfa Glyndwr, Carmarthen for the grant of a hackney carriage/private hire dual drivers licence.

DETAILED REPORT ATTACHED ?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Mr Robin Staines

Head of Housing and Public Protection

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Mr Robin Staines

Head of Housing and Public Protection

1. Local Member(s):

No local member involvement and therefore no consultation necessary.

2. Community / Town Council:

No Community / Town Council involvement and therefore no consultation necessary.

3. Relevant Partners:

No Police and Fire Authority involvement and therefore no consultation necessary.

4. Staff Side Representatives and other Organisations:

There are no other organisations involved and therefore no consultation necessary.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Application Form and File Contents.	DD10760	Licensing Section, 3 Spilman Street, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

Tuesday, 17 October 2017

PRESENT: Councillor J.M. Charles (Chair);

Councillors:

J.K. Howell and F. Akhtar;

Also present as observers: Councillors A. Fox and E. Williams;

Present as a representative of a Responsible Authority:-

Mr E. Jones – Principal Licensing Officer, Carmarthenshire County Council;

A. Morgan, Environmental Health Practitioner;

Mr M. Price – Dyfed Dyfed Powys Police Authority;

The following Officers were in attendance:

A. Evans, Assistant Solicitor;

K. Smith, Licensing Officer;

M.S. Davies, Democratic Services Officer.

Chamber, County Hall, Carmarthen - 9.30 am - 5.25 pm

1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interests.

2. APPLICATION FOR THE GRANT OF A PREMISES LICENCE. THE BLACK MOUNTAIN INN, 126 MOUNTAIN ROAD, UPPER BRYNAMMAN, AMMANFORD SA18 1AN

The Sub-Committee was informed that the applicants had requested that consideration of their application be deferred to a later date.

RESOLVED to accede to the request.

3. APPLICATION FOR THE GRANT OF A PREMISES LICENCE. NATIONAL BOTANIC GARDEN OF WALES, LLANARTHNE, CARMARTHEN, SA32 8HG

The Sub Committee adjourned at County Hall, Carmarthen at 9.35 a.m. and reconvened on site at 11.15 a.m., passing a number of objectors' properties en route, at the National Botanic Garden of Wales, Llanarthne, in order to view the property where it was afforded the opportunity of examining both the internal and external facilities. Following conclusion of the site visit, the Sub Committee reconvened in the Council Chamber at County Hall, Carmarthen at 1.30 p.m. to consider the application.

The Assistant Solicitor briefed all present on the procedure for the meeting.

The Sub Committee was advised that an application had been received from the National Botanic Garden of Wales for a premises licence in respect of the above premises to allow.

Plays, Films, Indoor Sporting Events, Boxing & Wrestling,
Performance of Dance, Anything of A Similar Description Monday to
Sunday 08:00-23:00.

Live Music, Recorded Music and Supply of Alcohol Monday to Sunday
08:00-01:00.

Late Night Refreshment Monday to Sunday 23:00 – 01:00

The Sub Committee noted that the following documentation was attached to the report:-

Appendix A - copy of the application

Appendix B - representations submitted by the Licensing Authority

Appendix C - representations submitted by Dyfed Powys Police

Appendix D - representations submitted by the Public Health Services

Appendix E - representations submitted by other persons.

The Sub-Committee, with the agreement of all parties, was circulated with copies of additional documentation which included amendments to the hours applied for and additional conditions proposed by the Responsible Authorities and a plan detailing the location of objectors' properties in relation to the application premises/site.

The Licensing Authority representative referred to his representations as detailed within Appendix B to the report and the Draft Proposed Licence Conditions referred to above. All parties were afforded the opportunity of questioning the Licensing Authority representative on the representations made.

The Dyfed Powys Police representative referred to his representations as detailed within Appendix C to the report and the Draft Proposed Licence Conditions referred to above. All parties were afforded the opportunity of questioning the Dyfed Powys Police representative on the representations made.

The Public Health Services representative referred to his representations as detailed within Appendix D to the report and the Draft Proposed Licence Conditions referred to above. All parties were afforded the opportunity of questioning the Public Health Services representative on the representations made.

The Sub-Committee thereupon received representations from some of the other persons expressing concerns and/or objecting to the grant of a premises licence on the grounds detailed in Appendix E.

All parties were afforded the opportunity of questioning the evidence submitted. The applicants thereupon addressed the concerns and issues raised.

All parties were afforded the opportunity of questioning the evidence submitted.

The Sub-Committee thereupon

UNANIMOUSLY RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act.

Following the adjournment, the Sub-Committee reconvened to advise of its decision and, having had regard to relevant paragraphs of the Licensing Authority's Statement of Licensing Policy and the guidance issued by the DCMS and the Home Office, it was

RESOLVED, having considered the evidence placed before the Sub Committee, that the application, as amended, be granted, subject to the additional licence conditions agreed between the applicant and the responsible authorities.

REASONS:-

The Sub-Committee had regard to the written representations made to it, as well as the evidence put before it. It also had regard to relevant paragraphs of the Licensing Authority's Statement of Licensing policy and the Guidance issued by the DCMS and Home Office, and those to which it had been referred by the parties.

In coming to its decision, the Sub-Committee has made the following findings of fact;

1. There was already a Premises Licence in place for part (but not all) of the area that the current application related to;
2. A number of Events had been held in outside areas falling within the scope of the application;
3. There had been no previous prosecutions or enforcement actions by the Licensing Authority, in respect of the premises;
4. There had been no complaints received by the Licensing Authority in relation to the premises;
5. The licensing authority had not received any referrals from the other Responsible Authorities in relation to the premises;
6. That the Applicants had amended their application and were applying for a premises license that permitted live music, recorded music and the supply of alcohol in indoor areas from 08:00 to 01:00 hours and outdoors from 08:00 – 23:00;
7. The maximum capacity for events at the premises would be 5,000;
8. The responsible authorities did not object in principle to the grant of the application and believed that the licensing objectives could be adequately promoted by conditions upon the premises licence;
9. The Applicants had agreed to those conditions being added to the licence.

The Sub Committee had attached weight to the views of the responsible authorities.

The Sub Committee recognised that its decision must be based upon real evidence, and that concerns and fears about what might happen if a licence were granted, where unsupported by such evidence, were not matters which it could properly take into account.

The Sub Committee noted the concerns expressed by the local residents, regarding the impact of the granting of the application upon the local community resulting from loud music and other noise from the licenses premises, increased

traffic on local roads, speeding and other traffic issues, and increased crime and disorder in and round the licensed premises. The Sub Committee accepted that these concerns were genuinely held by the local residents.

The members had regard to the license conditions agreed between the Applicant and the Responsible Authorities. They noted that they included detailed provisions relating to CCTV systems, door supervisors and alcohol sales. They also included conditions relating to the noise levels emanating from outdoor music concerts, as well a requirement to submit and agree a noise management plan with the local authority prior to each outdoor music concert. In addition, the agreed conditions also required the applicant:-

- (1) To prepare an Event Management Plan (EMP) for each event that included the provision of regulated entertainment that was held in the open air or within a temporary structure at the premises;
- (2) For events held outside the highlighted area, and for events held inside the highlighted area with an intended capacity greater than 2,500 persons, to submit the Event Management Plan to the Environmental Health and Licensing sections at least 4 months prior to the event taking place (unless this time limit is reduced by agreement with the licensing authority) for their approval and to operate these events in accordance with the approved plan.

Amongst other things, the Authority would expect these Event Management Plans to include a traffic management plan, a noise management plan, health and safety risk assessments, an alcohol and drug policy and details of the security and stewarding arrangements for example. These agreed conditions do much to address the concerns raised by local residents.

Whilst some of the local residents had given evidence of being able to hear events at the premises, of speeding and other traffic problems in the locality and of being told about unruly wedding events at the gardens, the evidence of previous problems at the premises was limited. The Sub Committee did not feel that this evidence was sufficient to show that the views of the Responsible Authorities in this matter are wrong.

In the absence of sufficient evidence that licensable activities at the Botanic Garden had in the past had a negative impact upon the local community, or expert evidence to show that the nature, location and duration of the proposed licensable activities will, on the balance of probabilities, cause a public nuisance, or an increase in crime and disorder, the sub-committee believed that to reject the application on the basis of residents' concerns would be would be disproportionate and inappropriate.

The Sub Committee was satisfied on the evidence presented that granting the application, subject to the licence conditions agreed between the applicant and the responsible authorities, would not undermine any of the licencing objectives. The Sub Committee was further satisfied that those conditions were appropriate in order to promote the licensing objectives and a proportionate response to the nature, location and timing of the licensable activities that were proposed.

CHAIR

DATE

Mae'r dudalen hon yn wag yn fwriadol

LICENSING COMMITTEE

Wednesday, 25 October 2017

PRESENT: Councillor E.G. Thomas (Chair)**Councillors:** J.M. Charles, A. Davies, C.A. Davies, P.M. Edwards, R.E. Evans, W.T. Evans, A.L. Fox, J.K. Howell, H.I. Jones and J.E. Williams.**The following Officers were in attendance:**

S.E. Watts, Environmental Protection Manager;

P. Booth, Licensing Officer;

J. Owen, Democratic Services Officer.

Chamber, County Hall, Carmarthen – 10.00 am - 12.10 pm**1. APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors J.G. Prosser and D.E. Williams.

2. DECLARATIONS OF PERSONAL INTERESTS.

Councillor	Minute No.	Nature of Interest
A. Davies	7 – Mr Adrian Ricky Parry Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence	Applicant known to him.
R. Evans	6 – Mr Jeffrey John Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence	Applicant known to him.
R. Evans	7 – Mr Adrian Ricky Parry Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence	Applicant known to him.
H. I. Jones	8 - Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence	Applicant known to him.
T. Evans	8 - Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence	Applicant known to him.

	Minute No.	Nature of Interest
Mr M. Price	3 – Mr John Charles Griffiths Application for the Grant of a Hackney Carriage/Private Hire Dual Drivers Licence	Applicant known to him.

3. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE PRIVATE HIRE DUAL DRIVERS LICENCE - MR JOHN CHARLES GRIFFITHS

[NOTE: Mr Mike Price, Police Authority Representative, having earlier declared an interest in this item, left the meeting prior to the consideration and determination thereof.]

The Committee considered an application from Mr John Charles Griffiths of 3 Talyclun, Llangennech, Llanelli to renew his hackney carriage/private hire dual drivers licence.

The Environmental Protection Manager recommended that Mr Charles' application be granted.

UNANIMOUSLY RESOLVED that in line with Council's guidelines, the application submitted by Mr John Charles for the grant of a Hackney Carriage/Private Hire Dual Drivers Licence be granted.

4. HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR WAYNE ROYSTON HALPIN

Mr Wayne Royston Halpin of Flat 8, Soroptimist House, Greenhill Close, Carmarthen for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence. The applicant informed the Committee that he had recently moved property to Greenhill House, Greenhill Close, Carmarthen.

The Committee interviewed Mr Halpin with regard to his application and the issues raised.

The Environmental Protection Manager recommended that Mr Halpin's application be granted with a warning as to his future conduct.

The Committee thereupon:

RESOLVED that, in line with the Council's guidelines, the application submitted by Mr Wayne Royston Halpin for the grant of a Hackney Carriage/Private Hire Dual Driver's Licence be granted and that he be issued with a warning as to his future conduct.

5. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE PRIVATE HIRE DUAL DRIVERS LICENCE - MR RADOSLAW ANDRZEJ WOJTASIAK

The Committee considered an application from an application from Mr Radoslaw Andrzej Wojtasiak of 15 Langland Road, Llanelli for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr Wojtasiak with regard to his application, the issues raised and received observations from the police representative

The Environmental Protection Manager recommended that Mr Wojtasiak's application be granted with a warning as to his future conduct.

The Committee thereupon:

RESOLVED that in line with the Council's guidelines, the application submitted by Mr Radolsaw Andrzej Wojtasiak for the grant of a Hackney Carriage/Private Hire Dual Drivers Licence be granted with a warning as to his future conduct.

6. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR JEFFREY JOHN

The Committee considered an application from Mr Jeffrey John of 30 Stafford Street, Llanelli for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr John with regard his application.

The Environmental Protection Manager recommended that Mr John's application be refused.

The Committee thereupon:

RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

(NOTE: At this point Councillor R. Evans declared an interest, left the Council Chamber and did not take part in any deliberations thereof).

Following the adjournment the Committee reconvened to advise of its decision.

RESOLVED that the application submitted by Mr Jeffrey John for the grant of a Hackney Carriage/private Hire Dual Drivers Licence be refused.

REASONS:

Having considered all the evidence presented, the applicant's answers to the Committee and the facts admitted by him, the Committee finds that the applicant was not a fit and proper person to hold a licence.

7. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE PRIVATE HIRE DUAL DRIVERS LICENCE - MR ADRIAN RICKY PARRY

(NOTE: Councillors A. Davies and H. I Jones, having earlier declared an interest in this item, left the Council Chamber during its consideration by the Committee).

(NOTE: Councillor T. Evans joined the meeting).

The Committee considered an application from Mr Adrian Ricky Parry of 10 Dan yr Allt, Felinfoel, Llanelli for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr Parry with regard to his application and the issues raised.

The Environmental Protection Manager recommended that Mr Parry's application be refused.

The Committee thereupon:

RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

Following the adjournment the Committee reconvened to advise of its decision.

RESOLVED that the application submitted by Mr Adrian Ricky Parry for the grant of a Hackney Carriage/private Hire Dual Drivers Licence be refused.

REASONS:

Having considered all the evidence presented, the applicant's answers to the Committee and the facts admitted by him, the Committee finds that the applicant was not a fit and proper person to hold a licence.

8. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DUAL DRIVERS LICENCE - MR MARK EDWARD JOHN

(Note: Councillor H.I. Jones declared an interest and left the Council Chamber during consideration and determination by the Committee thereto).

The Committee considered an application from Mr Mark Edward John of Cedars, Mount Pleasant, Llangunnor, Carmarthen for the grant of a hackney carriage/private hire dual drivers licence.

The Committee interviewed Mr John with regard to his application and the issues raised.

The Environmental Protection Manager recommended that Mr John's application be refused.

The Committee thereupon:

RESOLVED to retire into private session in order to receive legal advice pursuant to Paragraph 16 of Schedule 12A of the Local Government Act 1972.

(Note: At this point, Councillor W.T. Evans declared an interest and left the Council Chamber during the determination by the Committee thereto).

Following the adjournment the Committee reconvened to advise of its decision.

RESOLVED that Mr Mark Edward John's application be refused.

REASONS

The Committee, having regard to the evidence presented, was not satisfied that Mr John was a fit and proper person to hold a licence at this time.

9. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF LICENSING SUB-COMMITTEE "B" HELD ON 19TH SEPTEMBER, 2017.

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Licensing Sub Committee 'B' held on the 19th September, 2017 be signed as a correct record.

10. **TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD ON THE 14TH SEPTEMBER, 2017.**

RESOLVED that the minutes of the meeting of Licensing Committee held on the 14th September, 2017 be signed as a correct record.

CHAIR

DATE

Mae'r dudalen hon yn wag yn fwriadol